

Message Text

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ACTION EA-14

INFO OCT-01 ADP-00 CCO-00 SSO-00 NSCE-00 INRE-00 USIE-00

T-03 OMB-01 IO-12 CIAE-00 PM-09 H-02 INR-09 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 ACDA-19 MC-02

GAC-01 RSR-01 /106 W

----- 041277

O 131540 Z MAR 73

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC NIACT IMMEDIATE 2336

INFO AMEMBASSY SAIGON IMMEDIATE

SECDEF WASHDC

CINCPAC

CINCUSARPAC

COMUSMACV SAIGON

.COMUSJAPAN

CGUSARJ CP ZAMA

C O N F I D E N T I A L TOKYO 2963

E. O. 11652: GDS

TAGS: MARR JA VS

SUBJ: AMMO BOUND FOR SOUTH VIETNAM

REF A. STATE 44815 DTG 102241 Z MAR 73

B. SAIGON 3962 DTG 120345 Z MAR 73

C. TOKYO 2836 DTG 100555 Z MAR 73

SUMMARY: IN DIET DEBATE MARCH 12, FONMIN OHIRA ACKNOWLEDGED US PLAN TO SHIP AMMO TO SOUTH VIETNAM ABOARD SS "GREEN WAVE" AND SAID THAT GOJ HAD ASKED USG TO EXPLAIN CONFORMITY OF THIS SHIPMENT TO REQUIREMENTS IN ARTICLE 7 OF CEASEFIRE AGREEMENT. OKAWARA SUBSEQUENTLY TOLD DCM THAT GOJ WAS NOT QUESTIONING US RIGHT UNDER MST OR SOFA TO SHIP ARMS OUT OF US FACILITIES IN JAPAN, BUT GOJ REQUIRED FURTHER EXPLANATION FROM US TO MEET OPPOSITION ATTACK SINCE GOJ NOT IN

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POSITION INTERPRET CEASEFIRE AGREEMENT OR COME UP WITH FACTUAL ANSWERS TO REFUTE OPPOSITION CHARGES. OKAWARA SAID HE INFERRED FROM

US EXPLANATION THUS FAR THAT US HAD MADE NUMBER OF ARMS SHIPMENTS TO SVN SINCE CEASEFIRE. IF THIS WERE THE CASE, AND IF JMC/ ICCS WERE IN PLACE IN SVN PORTS, IT WOULD BE VERY USEFUL TO KNOW PROCEDURES FOR IMPLEMENTING ARTICLE 7. IF JMC/ ICCS NOT IN PLACE, IT WOULD BE EQUALLY VALUABLE TO KNOW WHETHER THERE HAD BEEN ANY OBJECTIONS RAISED BY ANY PARTY TO ARMS LANDINGS.

ACTION REQUESTED: URGENTLY REQUEST GUIDANCE TO FONOFF QUERIES. END SUMMARY.

1. TOKYO PRESS MARCH 13 FRONT-PAGED DIET DEBATE LATE MARCH 12 ON US PLANS TO SHIP AMMO FROM HIRO TO DANANG ON MARCH 18 ABOARD SS "GREEN WAVE". KOMEITO AND JCP CHARGED THAT SHIPMENT WAS BEING MADE IN VIOLATION OF CEASEFIRE AGREEMENT, SPECIFICALLY ARTICLE 7, AND DEMANDED THAT GOJ TAKE STEPS TO

STOP SHIPMENT UNLESS USG GAVE SATISFACTORY EXPLANATION.

2. BASED ON INFO PROVIDED BY EMBASSY (SPECIFICALLY PARA 1 REF A), FONMIN OHIRA ACKNOWLEDGED US PLAN TO SHIP AMMO AND SAID US HAD CONFIRMED THAT IT WAS ENTIRELY CONSISTENT WITH PEACE AGREEMENT. OHIRA SAID GOJ HAD QUERIED US EMBASSY FOR FURTHER INFORMATION, PARTICULARLY PURPOSE OF THIS SHIPMENT IN LIGHT OF ARTICLE 7, AND THAT HE HOPED TO PROVIDE DIET WITH ANSWERS BEFORE MARCH 18 SAILING DATE OF "GREEN WAVE."

3. FOLLOWING UP ON OHIRA'S STATEMENT, OKAWARA (DIRGEN AMERICAN AFFAIRS) REQUESTED MEETING WITH DCM MARCH 13 TO UNDERSCORE URGENT NEED FOR INFORMATION FROM USG. OKAWARA SAID GOJ WAS NOT RPT NOT QUESTIONING USG OBSERVATION OF CEASEFIRE TERMS, OR US RIGHT TO SHIP AMMO FROM US FACILITIES IN JAPAN UNDER TERMS OF SECURITY TREATY OR SOFA. HE STRESSED, MOREOVER, THAT GOJ HAD NO INTENTION OF INTERVENING WITH REGARD SAILING OF "GREEN WAVE" OR ITS DESTINATION. NEVERTHELESS, IN ORDER REFUTE OPPOSITION ALLEGATIONS AND DEMANDS, GOJ REQUIRED FURTHER INFO ON SUBJECT FROM USG SINCE GOJ NOT IN POSITION INTERPRET CEASEFIRE AGREEMENT AUTHORITATIVELY OR JUDGE COMPLIANCE ON PART OF SIGNATORIES.

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4. DCM SAID IT WAS IN US INTEREST AS WELL AS ALL OTHER PARTIES

TO OBSERVE LETTER AND SPIRIT OF CEASEFIRE AGREEMENT,
AND EXPLAINED IN DETAIL EACH OF POINTS IN PARA 1 REF A. DCM
SAID EMBASSY HAD REQUESTED ADDITIONAL INFO ON JMC/ ICCS
MECHANISM BUT THAT IT WOULD BE USEFUL TO HAVE FONOFF'S
VIEWS ON ADDITIONAL INFO WHICH WOULD BE OF PARTICULAR HELP TO
GOJ IN CURRENT DIET DEBATE. (PENDING INSTRUCTIONS FROM DEPT,
EMBASSY HAS NOT YET PROVIDED FONOFF WITH INFO IN REF B.)

5. OKAWARA AND MATSUDA, WHO ALSO PRESENT, BROUGHT UP FOLLOWING:

A. INFO TRANSMITTED BY EMBASSY THUS FAR (I. E. PARA
1 REF A) INDICATES THAT US HAD ALREADY MADE SOME ARMS DELIVERIES
TO SVN SINCE CEASEFIRE, ALTHOUGH NOT NECESSARILY FROM US BASES
IN JAPAN. IF THIS THE CASE, THERE MUST HAVE ALREADY BEEN ESTA-
BLISHED PRECEDENT FOR ICCS/ JMC HANDLING OF ARMS LANDINGS UNDER
ARTICLE 7 PROVISIONS, OR BASIS FOR JUDGING ICCS/ JMC REACTIONS
TO SUCH LANDINGS.

B. FROM PRESS REPORTS, GOJ BELIEVES ICCS TEAM IS
PRESENTLY IN PLACE IN DANANG. IT NOT CERTAIN HOWEVER ABOUT STATUS
TWO-
PARTY JMC, AND GOJ HAS NO INFO WHETHER JMC AND / OR ICCS ARE
PRESENTLY CARRYING OUT PROVISIONS OF ARTICLE 7, AT DANANG OR
ANY OTHER PORT.

C. IF JMC AND/ OR ICC ARE NOT YET IN OPERATION VIS- A- VIS ARTICLE 7,
HAS ANY PARTY EXPRESSED ANY OBJECTION TO LANDING OF ARMS SINCE THE
CEASEFIRE?

D. IF EITHER OR BOTH BODIES ARE PRESENTLY IN
OPERATION, WHAT PROCEDURES ARE NOW IN EFFECT TO VALIDATE
ARMS SHIPMENTS UNDER ARTICLE 7? DO EITHER OR
BOTH BODIES: (1) ASCERTAIN QUANTITIES OF
ARMS BEING SHIPPED INTO SVN; AND (2) CORRELATE THESE WITH ARMS
EXPENDED IN SVN?

E. IN ANY EVENT, DOES US TAKE ANY STEPS TO VERIFY
SVN ARMS REQUISITIONS AND REQUIREMENTS BEFORE ORDERING
REPLACEMENTS ON PIECE- FOR- PIECE BASIS?

6. ACTION REQUESTED: URGENTLY REQUEST GUIDANCE RE
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RESPONSES TO PARA 5 WHICH WE MAY PROVIDE FONOFF FOR
USE IN DIET. GOJ NOT QUESTIONING GOOD FAITH OF US
IN OBSERVING CEASE- FIRE AGREEMENTS AND CLEARLY
SYMPATHETIC TO NEED TO PROVIDE GVN WITH ARMS
REPLACEMENTS. GIVEN THRUST OF OPPOSITION ATTACK,

HOWEVER, FONOFF EVIDENTLY FEELS NEED TO SUPPORT
ITS DEFENSE OF US ACTIONS EITHER BY CITING OPERATION
OF JMC/ ICCS MECHANISM, AS STIPULATED IN ARTICLE 7,
OR SOME EVIDENCE THAT OTHER PARTIES CONCERNED ARE
AWARE OF US ARMS REPLACEMENTS AND DO NOT REGARD THEM AS
IN VIOLATION OF CEASE- FIRE AGREEMENT.
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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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To: . COMUS JAPAN
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CINCPAC
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COMUSMACV SAIGON
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